

October 17, 2006

GOVT. EXHIBIT

12A

Case No. 5:07CR030

UC: UNDERCOVER (UCE 3124)
PM: PAUL MONEA
MM: MICKEY MILLER

(12:22:35 - 12:23:50)

UC: SEE THEY KNOW HOW TO DO IT. THEY CAN DO IT IN LIKE THREE SECONDS (BACKGROUND DISCUSSION). WHAT'S YOUR NUMBER PAUL?

PM: YOU DON'T HAVE MY NUMBER IN YOUR PHONE.

UC: NO THEN I CAN'T RETRIEVE IT.

PM: (UI).

UC: SO 1-495

PM: 3701.

UC: 3701?

MM: (IN BACKGROUND POSSIBLY TALKING ON PHONE OR TO SOMEONE ELSE)

PM: (UI) YOU HAVE A REALLY OLD PHONE.

UC: BECAUSE YOU KNOW WHY, IT WORKS.

PM: THREE GENERATIONS AGO.

UC: I DROPPED IT EIGHTY SEVEN TIMES AND IT STILL WORKS.

(LAUGHTER IN BACKGROUND)

UC: PAUL, PAUL.

(TALK IN BACKGROUND - UNKNOWN FEMALE SAYS "NUMBER")

UC: 1-330-495-3701.

(12:25:00 - 12:36:30)

UC: ALRIGHT. HERE'S THE DEAL ON THE HOUSE. IT'S FALLING OUT OF REAL ESTATE NEXT MONTH. IT'S TOO HIGH. I MEAN, HE WANTS A MILLION NINE FOR IT. (UI) ONCE IT FALLS OUT OF REAL ESTATE, HE'LL TAKE ALMOST 200 GRAND OFF 'CAUSE HE IS PAYING A TON OF REAL ESTATE FEES TO SELL THE HOUSE.

MM: HE'S PROBABLY PAYING SIX PERCENT.

UC: HE'S PAYING A FLAT SIX I THINK. SO LET'S FIGURE \$120,000. SO HE SAYS HE'LL KNOCK OFF TWO HUNDRED OFF OF IT. HE'LL TAKE SOME CASH, BUT HE NEEDS A CHECK FOR BETWEEN 10-20 PERCENT. SO WE'LL GET INTO THAT LATER.

MM: (UI).

UC: WELL WE'LL TALK ABOUT THAT. WE 'LL FIGURE SOMETHING OUT. ALRIGHT NOW, HOW AM I GONNA MAKE A MILLION BUCKS IN A WEEK? A MONTH?

MM: I KNOW HOW. BUY OR SELL SOMETHING. (UI) HE BUYS IT FOR 16, SELLS IT FOR 17.

UC: DO YOU STILL HAVE THOSE DIAMONDS WITH YOU? (UI)

PM: REMEMBER I TOLD YOU (UI)

UC: LET ME ASK YOU THIS BEFORE I FORGET. YOU SAID THAT DIAMOND'S FOR SALE?

PM: (UI)

UC: (UI) FOUR?

PM: (UI)

UC: OH THIS IS INVOLVING THAT?

PM: (UI)

UC: BECAUSE I GOT A GUY DOWN SOUTH.

PM: HAVE I SEEN YOU SINCE I GOT THE DIAMOND?

UC: YEAH.

PM: OKAY.

UC: YOU SHOWED ME .

PM: OH. I DID SHOW YOU?

UC: YEAH. BUT YOU WERE GOING TO NEW YORK OR SOMETHING.

UNINTELLIGIBLE CONVERSATION

UC: YEAH.

PM: BECAUSE.

UC: I KNOW, I KNOW, I KNOW.

(12:31:40)

UC: WHY DO YOU CARRY THAT FRICKIN' THING AROUND?

PM: JUST TO CARRY IT.

UC: IT'S MUCH MORE FACETED, A LOT MORE BETTER COLOR THAN BEFORE.

PM: LOOK AT THE PRIOR (UI).

(CONVERSATION AND LAUGHTER)

UC: I KNOW SOMEONE, I MENTIONED IT TO SOMEBODY.

UC: I MENTIONED TO A GUY WHO WAS...DOWN SOUTH AND AH MENTIONED IT TO A GUY, JUST BULLSHITTIN' WITH HIM ABOUT IT. HE'S GOT GOD MONEY, BUT IT'S GOT TO .. THIS IS TRADE UP BECAUSE ...

PM: (UI)

UC: YEAH.

PM: (UI)

UC: MY ONLY CONCERN AND I THINK I CAN TALK HIM INTO 15, OKAY
AND HE'LL HAVE IT.

PM: (UI)

UC: (UI) WORK OUT TRANSFERS AND STUFF. I'LL HAVE TO GO DOWN, I'M
GOING AFTER THIS FEMA SHOW I'LL GO DOWN AND SEE HIM.

PM: (UI)

UC: I CAN'T KEEP GOING DOWN. ANYWAY, IT'S GOT TO BE RIGHT
BECAUSE...

PM: (UI) WE'D ALL BE DEAD (UI).

UC: I'M JUST SAYING IT WOULDN'T BE GOOD. I DO NOT...

PM: I GOT PAPERS.

UC: I KNOW BUT...

PM: (UI)

UC: OKAY, I GOT PAPERS TOO. I'M JUST TELLING YOU. HE CAN DO IT,
BUT IF ANYTHING IS WRONG. I'M TELLING YOU BECAUSE THIS GUY
MAKES ME NERVOUS.

PM: (UI) JUST TELL HIM YOU KNOW ME.

UC: I'M JUST SAYING IF ANYTHING IS WRONG.

(UI)

UC: MY COUSINS FOUR GENERATIONS WILL HAVE PROBLEMS.

PM: NO, (UI), YOU DON'T HAVE TO WORRY ABOUT THAT.

UC: OKAY.

PM: (UI) IS THERE ANY WAY WE CAN MEET YOU IN NEW YORK, (UI).

UC: IT DON'T MATTER IF CLINTON OR WHOEVER MAY JUSTIFY IT. IT
DON'T MATTER BECAUSE IT IS ON MY HEAD SO IT DON'T MATTER.

MM: WITH A GUY LIKE THAT, THAT'D BE A NICE PLACE TO HAVE A LOT OF MONEY.

UC: RIGHT.

(BACKGROUND CONVERSATIONS)

MM: (UI) MENU.

UC: THEN WHAT IS THE PROBLEM PUTTING IT, HOW CAN I SAY IT.

PM: (UI)

UC: NO, NO, BUT WOULDN'T PEOPLE HUNT IT FROM NEW YORK, WOULDN'T PEOPLE HUNT IT FROM...

PM: WE HAD OFFERS THE FIRST DAY FROM AN ARAB (UI).

UC: WHY DOESN'T, I MEAN IF HE'LL PAY ENOUGH MONEY FOR IT, WHY DOESN'T RYAN CALL THE FREAKING PRINCE OVER IN DUBAI?

MM: WE HAD A BONAFIDE ... HE HAD A BONAFIDE OFFER OF (UI).

UC: OKAY. I'LL HAVE AN ANSWER FOR YOU AT FEMA.

PM: (UI) WE HAVE APPOINTMENTS TO SHOW THE DIAMOND (UI) SOME ACTORS COMING, RAPPERS (UI).

(13:09:35 - 13:09:59)

MM: FIFTEEN MILLION CASH?

UC: UNLESS YOU OPEN AN ACCOUNT IN THE CAYMAN ISLANDS AND YOU DEPOSIT IT THERE.

MM: WE CAN DO THAT, CAN'T WE?.

UC: WHO YOU VOLUNTEERING "WE" KEMOSABI?

MM: CAUSE I'M GONNA GET 5% OF IT (UI) WHAT ABOUT THAT? I'M THE MIDDLEMAN.

PM: AHH. THAT SCARES ME. I JUST FEEL THAT ... I'M COMPLETELY PARANOID.

UC: WELL, I CAN SEE WHY, BUT ...

[END AT 13:09:59]

(13:10:12 - 13:12:43)

MM: WELL, IS IT ILLEGAL TO HAVE MONEY IN THE CAYMAN ISLANDS?

UC: THAT'S WHAT I ...

PM: UMM. NOT IF YOU SHOW IT. BECAUSE ON YOUR TAX FORM THERE'S A BOX THAT ASKS YOU IF YOU HAVE AN ACCOUNT ...

UC: ANY MONEY ...

PM: ... IN A FOREIGN JURISDICTION THAT HAS OVER \$10,000 IN IT.

UC: WELL, WAIT, WAIT, WAIT, WAIT. THE TRUST IS SELLING THE STONE?

PM: THE TRUST IS SELLING THE STONE.

UC: SO CAN'T THE TRUST HAVE AN ACCOUNT THERE?

PM: YEAH. I GUESS ... I'M GONNA HAVE MY ATTORNEY HANDLE IT SO, I'M GOING TO BE ARM'S LENGTH AWAY FROM IT AND I'M GONNA ASSUME THE ATTORNEY'S GOING TO KEEP EVERYTHING DONE ACCORDING TO WHAT HAS TO BE DONE.

UC: IF YOU'RE TELLING ME THAT THEY DEPOSIT CASH OVER THERE, THEN THEY CAN DEPOSIT IT OVER THERE, RIGHT?

PM: WELL, IT ULTIMATELY NEEDS TO GET WIRED INTO AN ACCOUNT HERE.

UC: WELL, OKAY.

PM: (U) SETTLE MY OBLIGATIONS HERE. AND IF I START WIRING A BUNCH OF MONEY FROM THE CAYMANS ...

UC: NOT YOU, BUT THE TRUST.

PM: OR EVEN THE TRUST, CAUSE IT'S CALLED THE MONEA FAMILY TRUST, TO ALL THESE DIFFERENT PEOPLE ...

UC: OKAY.

PM: I JUST ... I DON'T WANT TO PUT MYSELF IN THAT POSITION.

UC: WHAT ABOUT THEN YOU SAID PLANES AND STUFF?

PM: FOR PARTIAL ... FOR PART OF IT.

UC: ALRIGHT. FOR PART OF IT.

PM: BUT IF THEY'RE WIRING THE MONEY... LET'S JUST PICK A COUNTRY ... AND I'M JUST GONNA PICK SOMETHING COMPLETELY OUT OF THE BLUE. I MEAN THERE'S THOUSANDS OF COUNTRIES. LET'S PICK COLUMBIA.

UC: YEAH, YEAH.

PM: IF THEY'RE WIRING MONEY...

UC: RIGHT.

PM: ... I IMAGINE THEY'RE WIRING IT THROUGH A COUPLE DIFFERENT LOCATIONS. IT HAS TO END UP IN MY TRUST ACCOUNT HERE.

UC: NOW YOU'RE TALKING WIRING. YEAH. OKAY

PM: THE TRUST HERE HAS NO IDEAL WHERE THE BUCKS COME FROM. IT'S WIRED IN.

MM: IT'S WIRED IN. YOU PAY THE TAXES ON IT, YOU DON'T KNOW WHERE THE HELL IT COMES FROM.

UC: OKAY.

MM: THAT WOULD WORK, I BETCHA.

PM: I'M JUST TRYING TO SELL ON BEHALF OF THE TRUST AN ASSET THAT THE TRUST HAS.

UC: BUT YOU'RE TALKING WIRING TRANSFERS.

MM: YEAH. WIRE TRANSFERS. THEY PUT IN THE CASH AND THEN WIRE IT.

(UI) PHONE CALL RECEIVED BY MM. CONVERSATION IN THE BACKGROUND.

PM: (UI)

UC: OKAY. OKAY. I WAS TALKING SUITCASE ...

PM: (UI)

UC: YEAH, YEAH. THEY CAN DO THAT. THEY CAN DO THAT. THEY DO THAT ALL DAY.

MM CONTINUED TELEPHONE CONVERSATION IN BACKGROUND

UC: WOULD YOU BE WILLING TO DELIVER IT?

[END AT 13:12:43]

(13:13:00 - 13:15:14)

MM CONTINUED BACKGROUND TELEPHONE CONVERSATION.

UC: SO THEN WHAT WOULD YOU ... SO HOW WOULD YOU DO THE TRANSACTION?

PM: (UI)

UC: YEAH, BUT THEY GOTTA MAKE THE EXCHANGE AT THE SAME TIME. I GOTTA THINK ABOUT IT.

MM CONTINUED TELEPHONE CONVERSATION

UC: THEY'RE GONNA WANT TO ... OBVIOUSLY, THEY'RE GONNA SEND SOMEBODY UP TO SEE IT.

PM: (UI)

UC: YEAH, YEAH. (UI)

PM: (UI) BRINKS IN CLEVELAND. BRINKS WILL GIVE ME A ROOM (UI)

MM CONTINUED TELEPHONE CONVERSATION

UC: WHAT ABOUT IN VEGAS?

BACKGROUND CONVERSATIONS.

PM RECEIVES PHONE CALL; BACKGROUND PHONE CONVERSATION.

PM: THAT'S THE GUY THAT LOANED ME THE MONEY TO BUY THE STONE.

UC: YEAH.

PM: SAID HE'S GOT A GUY WHO MIGHT WANT IT IN TEXAS.

UC: HOW MUCH?

PM: FIFTEEN.

UC: OKAY. I'LL ASK. BUT HOW ABOUT SEEING IT IN VEGAS?

PM: HUH?

UC: HOW ABOUT SEEING IT IN VEGAS?

PM: YOU WON'T KNOW NOTHIN' BEFORE THAT?

UC: HUH?

PM: WON'T KNOW NOTHIN' BEFORE THAT?

UC: I'LL MAKE A CALL.

PM: YOU KNOW THERE'S A WEBSITE. JUST SEND IT IN TO THE WEBSITE.

MM CONTINUED TELEPHONE CONVERSATION.

VEHICLE STOPS.

UC: EVEN IF I CALL AND THEY SAY THEY'RE INTERESTED, THEY'RE GONNA WANT TO SEE IT.

PM: (UI)

UC: YES IT IS.

PM: (UI)

UC: (UI) BUT THEY'RE NOT COMIN' UP HERE.

PM: (UI) PORTABLE MONEY. WHAT ELSE DO YOU HAVE (UI)

UC: NO, NO, NO. BUT YOU CAN'T GET RID OF IT ... YOU CAN'T GET RID OF IT QUICKLY.

[END AT 13:15:14]

(13:21:46-13:24:01)

UC: YOU'RE UP ALL NIGHT ANYWAY.

MM: YEAH.

UC: WHAT DO YOU THINK ABOUT THIS STONE?

MM: I'LL TELL YOU WHAT ...

UC: JUST BETWEEN ME AND YOU.

MM: ... WHAT I THINK, I THINK IT'S A BEAUTIFUL INVESTMENT.

UC: ... WAIT A MINUTE. BETWEEN ME AND YOU. IF I GET THIS GUY TO GO FOR THIS STONE FOR 15 MILLION, IT'S GOTTA BE RIGHT.

MM: IT IS RIGHT.

UC: I'M TELLIN' YOU MICKEY ...

MM: DID YOU KNOW THAT I AM THE TRUSTEE OF HIS TRUST?

UC: I KNOW YOU'RE THE TRUSTEE OF HIS TRUST BUT I KNOW THAT PAUL IS A WHEELER AND DEALER.

MM: NO. THIS STONE IS ONE HUNDRED PERCENT.

UC: BECAUSE ...

MM: IT'S BEEN TO NEW YORK. IT'S GOT THE PAPERS.

UC: I'D LIKE TO PICK UP A QUICK MILLION, BUT I DON'T WANT TO PICK UP A HEADACHE.

MM: YEAH, I KNOW.

UC: IT'S A PERMANENT HEADACHE.

MM: WELL ...

UC: DO YOU FEEL OKAY WITH THIS STONE?

MM: I AM VERY COMFORTABLE WITH THIS STONE. I WOULD NOT WORRY ABOUT THE STONE. AND THE GUY COULD HAVE IT APPRAISED. LET HIM GET A SECOND OPINION ON IT. THAT PROTECTS YOU.

UC: AND NOBODY'S GONNA COME AFTER PAUL FOR THE FREAKING MONEY?

MM: WELL, HE PAID \$500,000 FOR IT. HE'LL HAVE TO PAY INCOME TAX.

UC: YEAH, BUT HE KEEPS TELLIN' ME THAT HE OWES MONEY TO THE IRS.

MM: I KNOW. BUT THIS MONEY IS GOING IN THE TRUST.

UC: OKAY. WHICH IS HIS.

MM: NO.

UC: THEY'RE NOT STUPID.

MM: IT'S THE FAMILY TRUST. IT'S HIS FAMILY'S TRUST.

UC: OKAY.

MM: AND THE ... AND HE BORROWED MONEY. IT'S A LONG, LONG STORY. BUT HE HAD THE STONE BEFORE. HE PUT THE STONE UP FOR COLLATERAL FOR A LOAN ...

UC: RIGHT.

MM: ... A LONG TIME AGO.

UC: HE TOLD ME THAT.

MM: GUY GAVE HIM A HALF MILLION DOLLAR LOAN, WHICH HE GOT TO GET THE STONE BACK. THE LOAN CAME OUT OF THE TRUST. THE PAPER TRAIL IS THAT THE TRUST BOUGHT THE STONE FOR \$500,000.

UC: OKAY.

MM: IT'S ALL BEEN DONE BY THE ATTORNEY.

UC: OKAY.

MM: NOW, HE SELLS IT FOR 15 MILLION OR 12 MILLION OR WHATEVER THE HELL IT IS ...

UC: WHATEVER IT IS.

MM: RIGHT. OKAY. NOW, HE'S GOT TO PAY 20% INCOME TAX ...

UC: THE TRUST DOES?

MM: THE TRUST DOES. I HAVE TO HANDLE THAT.

UC: OKAY.

MM: AND WE'RE GONNA HAVE OUR OWN TAX ACCOUNTANT ON THAT. THE SAME GUY WHO HANDLES MY STUFF, PHIL MOTI

UC: OKAY.

MM: THE MOST CONSERVATIVE TAX MAN ON THE PLANET EARTH.

UC: I'M NOT SO WORRIED ABOUT THE TAXES. I'M WORRIED ABOUT THE (U) CAUSE HE STILL TELLS ME HE OWES BETWEEN 500 AND A MILLION.

MM: IF HE TAKES MONEY OUT OF THE TRUST FOR HIMSELF, HE'LL HAVE TO BE PAYING THAT BACK TO THE IRS.

UC: OKAY.

MM: IF HE GETS ANY MONEY OF HIS OWN, HE HAS TO PAY IT BACK.

UC: OKAY.

MM: SEE. AND FRANKLY, IT'S A MILLION DOLLARS. IF HE SELLS THIS FREAKING STONE FOR 12 MILLION DOLLARS OR 15 MILLION DOLLARS, HE PROBABLY OUGHT TO JUST PAY IT.

UC: YEAH, BUT THEY'RE GONNA WONDER HOW ... THEY'RE GONNA WONDER HOW HE PAID IT.

MM: WELL, PRETTY SIMPLE PAPER TRAIL. PAID HALF A MILLION DOLLARS FOR THE STONE AND SOLD IT FOR 15 MILLION DOLLARS ...

UC: YEAH, BUT HE DIDN'T. THE TRUST DID.

MM: THE TRUST THEN PAYS HIM.

UC: OKAY.

MM: AND NOW IT'S HIS.

(13:25:40-13:30:35)

PM: THIS IS THE HOME PAGE. PICTURES CONTINUALLY CHANGE AT THE TOP.

PM: IT (UI) THROUGH THE HISTORY.

UC: OH.

PM: (UI)

UC: GOLDEN EYE DIAMOND DOT COM. OKAY.

(UI)

UC: I DON'T KNOW. WHAT'D YOU LOSE NOW?

PM: (UI) TAKE THEM OUT AND READ THEM?

UC: THANK YOU. YEAH.

UC: THIS WAS LIKE 50 SOMETHING CARATS BEFORE, RIGHT?

PM: YEAH. IT WAS LIKE 124 (UI)

UC: NO BUT YOU SHAVED ...

PM: 50 SOMETHING, 55 WHEN YOU SAW IT BEFORE.

UC: YEAH. (UI)

UC: YOU'RE A GREAT MARKETING GUY. DID YOU WRITE THIS UP?

PM: WELL, THIS WAS A QUOTE FROM THIS GUY.

UC: YEAH, I KNOW. I SAW A BIG YELLOW DIAMOND--I DON'T KNOW HOW BIG IT WAS--WHEN I WAS IN RUSSIA AT THE KREMLIN. A VERY BIG YELLOW STONE.

PM: SO THAT'S ALL GLAMORIZED (U) HISTORY (U) SEARCH FOR IT.

UC: THE GOLDEN EYE. SOUNDS LIKE JAMES BOND.

PM: FOUND IN AFRICA IN (U) SO THEN ANYHOW. YOU CAN GO TO ALSO ON HERE THE GIA CERTIFICATE.

UC: RIGHT.

PM: (U) CARAT NATURAL YELLOW (U) PHOTO PAGE. WE'LL JUST CLICK ON ONE (U).

UC: IS THAT YOUR DAUGHTER'S HAND?

PM: YEAH.

UC: I HOPE IT'S NOT YOURS.

PM: (LAUGH) NO. I'M NO IN TO NAIL POLISH (U). UH, BUT YOU SEE HOW THIS IS PHOTOGRAPHED FROM THE FRONT ...

UC: RIGHT. SO IT'S JUST A GLARE

PM: THIS IS A FACET THAT'S ON THE BACK ...

UC: RIGHT.

PM: ... THAT YOU'RE SEEING IS ACTUALLY (U) THE LIGHT. SO ANYHOW, THAT'S ...

UC: NOW, WILL THIS THING TEST ... THEY HAVE A THING ...

PM: I'VE GOT A DIAMOND TESTER.

UC: YEAH.

PM: COST ME 360 BUCKS.

UC: RIGHT. IT SHOWS IT AS GOOD?

PM: I DON'T KNOW. LET ME ASK YOU A QUESTION. DO THINK AS EXPOSED AND AS VULNERABLE AS I AM, THAT I WOULD PUT MYSELF IN A POSITION WHERE I WAS AT RISK?

UC: YEAH, BUT IT'S NOT YOUR POSITION. IT'S MY POSITION. THEY'RE GONNA ...

PM: AND MINE.

UC: ... WELL, YEAH, BUT YOU'LL BE SECOND ...

PM: (U) I'M GETTIN' THE MONEY.

UC: YEAH. YEAH.

PM: (U) THE GOLDEN EYE DIAMOND (U)

UC: I'LL TAKE THE HEAT ... BEFORE YOU DO.

PM: BUT

UC: OH, IT'LL COME DOWN BUT

PM: IT'S GONNA ROLL ALL THE WAY DOWN HILL...

UC: ...YEAH, IT'LL ROLL DOWN HILL BUT

PM: IT'S, IT'S ... I DON'T THINK ...

UC: BUT YOU MAY BE BETTER THAN ME CAUSE I CAN'T (U)

PM: (U)

UC: I'LL CALL HIM TODAY. I'LL TELL HIM TO GO ON THE WEBSITE.

PM: YEAH. GO ON THE WEBSITE. ALRIGHT. THANKS A LOT.

UC: THEN I WILL SEE YOU FOR SURE ...

PM: IN VEGAS.

UC: YEAH. THE FIRST. I'LL CALL YOU ...

PM: I'M ACTUALLY GONNA BE THERE THE 30TH.

UC: WELL, I'LL BE THERE, I'LL BE THERE ...

PM: ...BE THERE FOR SIX DAYS. I'LL JUST CALL YOU WHEN I GET TO TOWN.

[END AT 13:30:00]